

Panaji, 8th March, 1979 (Phalguna 17, 1900)

SERIES I No. 49

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA, DAMAN AND DIU

### GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

#### Notification

1-22-74-Div.I (Vol. II)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, read with the Government of India, Ministry of External Affairs' letter No. F.7(11)/62-GOA dated 25th July, 1963, the Lieutenant Governor of Goa, Daman and Diu is pleased to declare that the existing recruitment rules to the post of Group Instructor notified in the Official Gazette No. 16, Series I dated 19-7-1973 are also applicable to Group 'C' non-ministerial, non-gazetted posts of Store Superintendent and Surveyor in the Office of Commissioner, Labour and Employment, Panaji.

2. These rules will come into effect from the date of the Notification and will relate to appointments to these posts made on or after this date.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

*V. J. Menezes*, Under Secretary (Personnel).

Panaji, 27th February, 1979.

### Local Administration and Welfare Department

#### Notification

6-35-75-LSG

In exercise of the powers conferred by sub-section (2) of section (1) of the Children (Amendment) Act, 1978 (Act No. 15 of 1978), the Administrator of Goa, Daman and Diu hereby appoints the First March, 1979 as the date on which the said Act shall come into force in the Union Territory of Goa, Daman and Diu.

By order and in the name of the Administrator of Goa, Daman and Diu.

*E. N. Rodrigues*, Under Secretary (Revenue).

Panaji, 1st March, 1979.

#### Corrigendum

LSG-2430-SW-67

In this Department's Order No. LSG-2430-SW-67, dated 14-2-1979 the words "their normal dates of increment will be the date of absorption in the Block" appearing in the 5th to 6th line of condition No. (1) may be read as "Their normal dates of increment will be the date of their absorption in the Directorate of Social Welfare".

By order and in the name of the Administrator of Goa, Daman and Diu.

*E. N. Rodrigues*, Under Secretary (Revenue).

Panaji, 1st March, 1979.

### Finance Department (Revenue and Control)

#### Notification

1-16-78/Fin(R&amp;C)

Whereas the Government of Goa, Daman and Diu is of the opinion that it is necessary in public interest and expedient to suspend the operation of certain provisions of second proviso to sub-rule (2) of rule 90 of the Goa, Daman and Diu Excise Duty Rules, 1964 with respect to class of persons possessing licences for wholesale or retail sale of any liquor other than denatured and rectified spirit or absolute alcohol whose licences are to expire on 31st March 1979 (hereinafter called the "said licensees");

Now, therefore, in exercise of the powers conferred by section 42 of the Goa, Daman and Diu Excise Duty Act, 1964 (Act No. 5 of 1964), the Government of Goa, Daman and Diu hereby exempts all the said licensees from the operation of the following conditions under item (c) of second proviso to sub-rule (2) of rule 90 of the Goa, Daman and Diu Excise Duty Rules, 1964, namely: —

"Except wherein the same shop is situated within the prohibited areas of 500 metres from a Highway, industrial project, an irrigational work or any other development project",

for a period of one year with effect from 1-4-1979.

By order and in the name of the Administrator of Goa, Daman and Diu.

*S. S. Sukthankar*, Under Secretary (Finance).

Panaji, 1st March, 1979.

## Law Department (Legal Advice)

## Notification

LD/258/79

The following ordinance which was promulgated by the President of India on 30-12-1978 is hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Law).

Panaji, 22nd January, 1979.

## MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 30th December, 1978/Pausa 9,  
1900 (Saka)

## THE INDUSTRIES (DEVELOPMENT AND REGULATION) AMENDMENT ORDINANCE, 1978

No. 6 of 1978

Promulgated by the President in the Twenty-ninth Year of the Republic of India.

An Ordinance further to amend the Industries (Development and Regulation) Act, 1951.

Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, Therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Industries (Development and Regulation) Amendment Ordinance, 1978.

(2) It shall come into force at once.

2. *Act 65 of 1951 to be temporarily amended.*—During the period of operation of this Ordinance, the Industries (Development and Regulation) Act, 1951 (hereinafter referred to as the principal Act) shall have effect subject to the amendments specified in sections 3 and 4.

3. *Amendment of section 18FB.*—In sub-section (2) of section 18FB of the principal Act, in clause (b) of the proviso, for the words "five years" the words "eight years" shall be substituted.

4. *Amendment of the First Schedule.*—In the First Schedule to the principal Act,—

(a) under the heading "12. MISCELLANEOUS MECHANICAL AND ENGINEERING INDUSTRIES:", after item (3), the following items shall be inserted, namely:—

"(4) Pressure Cookers.

(5) Cutlery.

(6) Steel furniture."

(b) under the heading "34. CERAMICS:", after item (7), the following item shall be inserted, namely:—

"(8) Graphite Crucibles.";

(c) under the heading "38. MISCELLANEOUS INDUSTRIES:", after item (2), the following items shall be inserted, namely:—

"(3) Zip fasteners (metallic and non-metallic).

(4) Oil stoves."

N. SANJIVA REDDY,  
President.

R. V. S. PERI SASTRI,  
Secy. to the Govt. of India.

## Notification

LD/437/79

The following ordinance which was recently promulgated by the President of India on 20th January, 1979 is hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Law).

Panaji, 1st February, 1979.

## MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 20th January, 1979/  
Pausa 30, 1900 (Saka)

## THE PUNJAB EXCISE (DELHI AMENDMENT) ORDINANCE, 1979

No. I of 1979

Promulgated by the President in the Twenty-ninth Year of the Republic of India.

An Ordinance further to amend the Punjab Excise Act, 1914, as in force in the Union territory of Delhi.

Whereas by reason of certain excisable articles not being manufactured or produced in Delhi, counter-vailing duty is not leviable on such articles which are imported into Delhi;

And Whereas the consumption, except for medicinal purposes, of such articles would be injurious to health and the levy of a special duty on the importation of such articles into Delhi would be an endeavour towards bringing about prohibition of the consumption as aforesaid of such articles;

And Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, Therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitu-

tion, the President is pleased to promulgate the following Ordinance: —

1. *Short title and commencement.* — (1) This Ordinance may be called the Punjab Excise (Delhi Amendment) Ordinance, 1979.

(2) It shall come into force at once.

2. *Amendment of section 3 of Punjab Act 1 of 1914.* — In section 3 of the Punjab Excise Act, 1914, as in force in the Union territory of Delhi (hereinafter referred to as the principal Act), —

(a) after clause (5), the following clause shall be inserted and shall be deemed always to have been inserted, namely: —

‘(5a) “duty” means the excise duty or countervailing duty or, as the case may be, special duty’;

(b) in clause (6), —

(i) in sub-clause (b), the word “or” shall be inserted and shall be deemed always to have been inserted at the end; and

(ii) after sub-clause (b), as so amended, the following sub-clause shall be inserted and shall be deemed always to have been inserted, namely: —

“(c) any spirit;”;

(c) after clause (18), the following clause shall be inserted and shall be deemed always to have been inserted, namely: —

‘(18a) “special duty” means a tax on the import of any excisable article being an article on which countervailing duty as is mentioned in entry 51 of List II in the Seventh Schedule to the Constitution is not imposable on the ground merely that such article is not being manufactured or produced in the territory to which this Act extends;’.

3. *Amendment of section 31.* — In section 31 of the principal Act, for the words “excise duty, or countervailing duty, as the case may be, at such rate or rates”, the words, figure and letter “excise duty, or a countervailing duty, or a special duty, as the case may be, at such rate or rates not exceeding the rates set forth in Schedule IA” shall be substituted and shall be deemed always to have been substituted.

4. *Insertion of new Schedule IA.* — In the principal Act, after Schedule I, the following Schedule shall be inserted and shall be deemed always to have been inserted, namely: —

#### ‘SCHEDULE IA

(See section 31)

Sl. No.	Description of excisable article	Rate
(1)	(2)	(3)
1.	Country liquor:	
	(i) Plain liquor.	Rs. 15.20 per proof litre.
	(ii) Ordinary spiced liquor.	Rs. 27.28 per proof litre.
	(iii) Special spiced liquor.	Rs. 15.00 per proof litre.

(1)	(2)	(3)
	(iv) Plain when issued to troops.	Rs. 13.25 per proof litre.
	(v) Spiced liquor including special liquor when issued to troops.	Rs. 13.75 per proof litre.
2.	Indian made rum issued to troops.	Rs. 6.00 per proof litre.
3.	Rectified spirit or absolute alcohol.	Rs. 13.20 per proof litre.
4.	All other sorts of liquor including Indian Made Foreign Liquor except denatured spirit and special denatured spirit.	Rs. 21.00 per proof litre.
5.	Spirituos preparations including essence but other than Medicinal and Toilet Preparations as defined in the Medicinal and Toilet Preparations (Excise Duties) Act, 1955 (16 of 1955).	Rs. 3.85 per proof litre.
6.	Denatured spirit.	Rs. 2.00 per litre.
7.	Special denatured spirit.	Rs. 2.00 per litre.
8.	Indian Beer containing 5 per cent. or less alcohol v/v.	Re. 0.50 per bottle of 650 ml.
9.	Indian Beer containing alcohol more than 5 per cent. v/v.	Rs. 5.00 per bottle of 650 ml.
10.	Cider.	Re. 1.00 per bottle of 650 ml.
11.	Bhang.	Rs. 30.00 per 10 Kgs. or part thereof.
12.	Any other intoxicating drug other than those mentioned above.	Rs. 30.00 per Kg.

*Explanation.* — In this Schedule, “proof litre” means litre of the strength of London Proof.

5. *Amendment of new Schedule IA.* — In the principal Act, in Schedule IA, as directed to be inserted by section 4, for the entry in column (2) against serial number 2, the following entry shall be substituted and shall be deemed to have been so substituted with effect from the 5th day of July, 1972, namely: —

“Indian made rum issued to troops and the personnel of the Border Security Force.”.

6. *Validation.* — Notwithstanding any judgment, decree or order of any court or other authority, anything or any action done or taken or purported to have been done or taken under the principal Act before the coming into force of this Ordinance shall be, and shall be deemed always to have been, as valid and effective as if such thing or action had been done or taken under the principal Act, as amended by this Ordinance, and accordingly —

(a) any duty, tax or fee levied, assessed or collected or purporting to have been levied, assessed or collected under the principal Act before the coming into force of this Ordinance shall be deemed to have been validly levied, assessed or collected in accordance with law;

(b) no suit or other proceeding shall be maintained or continued in any court or before any authority for the refund, and no enforcement shall be made by any court or other authority of any decree or order directing the refund, of any such duty, tax or fee which has been so collected;

(c) recoveries shall be made in accordance with the provisions of the principal Act of all amounts which would have been collected as duties, taxes or fees under the principal Act by reason of the amendments made in the principal Act by this Ordinance but which had not been collected.

*Explanation.* — For the removal of doubts, it is hereby declared that no act or omission on the part of any person before the coming into force of this Ordinance shall be punishable as an offence which would not have been so punishable if this Ordinance had not been promulgated.

N. SANJIVA REDDY,  
*President,*

R. V. S. PERI SASTRI,  
Secy. to the Govt. of India.

#### Notification

LD/303/1/79

The following Central Act namely: — The Additional Duties of Excise (Textiles and Textile Articles), Act, 1978 which was recently passed by the Parliament and enacted to by the President of India on 6-12-1978 and published in the Gazette of India, Part II, Section I dated 6-12-1978 is hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Law).

Panaji, 8th February, 1979.

#### THE ADDITIONAL DUTIES OF EXCISE (TEXTILES AND TEXTILE ARTICLES) ACT, 1978

#### AN ACT

*to provide for the levy and collection of additional duties of excise on certain textiles and textile articles.*

Be it enacted by Parliament in the Twenty-ninth Year of the Republic of India as follows: —

1. *Short title and commencement.* — (1) This Act may be called the Additional Duties of Excise (Textiles and Textile Articles) Act, 1978.

(2) It shall be deemed to have come into force on the 4th day of October, 1978.

2. *Definitions.* — In this Act, “cotton fabrics”, “silk fabrics”, “woolen fabrics”, “man-made fabrics” and “wool tops” shall have the meanings respectively assigned to them in Items Nos. 19, 20, 21, 22 and 43 of the First Schedule to the Central Excises and Salt Act, 1944.

1 of 1944.

3. *Levy and collection of additional duties of excise on certain textiles and textile articles.* — (1) When goods of the description mentioned in the Schedule chargeable with a duty of excise under the Central Excises and Salt Act, 1944, read with any notification for the time being in force issued by the Central Government in relation to the duty so chargeable, are assessed to duty, there shall be levied and collected a duty of excise equal to ten per cent. of the total amount so chargeable on such goods.

1 of 1944.

(2) The duties of excise referred to in sub-section (1) in respect of the goods specified in the Schedule shall be in addition to the duties of excise chargeable on such goods under the Central Excises and Salt Act, 1944, or any other law for the time being in force and shall be levied for the purposes of the Union and the proceeds thereof shall not be distributed among the States.

1 of 1944.

(3) The provisions of the Central Excises and Salt Act, 1944, and the rules made thereunder, including those relating to refunds and exemptions from duties, shall, so far as may be, apply in relation to the levy and collection of the duties of excise leviable under this section in respect of any goods as they apply in relation to the levy and collection of the duties of excise on such goods under that Act or those rules.

1 of 1944.

4. *Repeal and saving.* — (1) The Additional Duties of Excise (Textiles and Textile Articles) Ordinance, 1978, is hereby repealed.

4 of 1978.

(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance so repealed shall be deemed to have been done or taken under the corresponding provisions of this Act.

#### THE SCHEDULE (See section 3)

S. No.	Description of goods
(1)	(2)
1.	Man-made fibres, other than mineral fibres, man-made filament yarns, cellulosic spun yarn and non-cellulosic wastes, all sorts as described in Item No. 18 I, 18 II, 18 III and 18 IV respectively of the First Schedule to the Central Excises and Salt Act, 1944.
2.	Cotton yarn, all sorts as described in Item No. 18A of the First Schedule to the Central Excises and Salt Act, 1944.
3.	Woolen and acrylic spun yarn as described in Item No. 18B of the First Schedule to the Central Excises and Salt Act, 1944.
4.	Non-cellulosic spun yarn as described in Item No. 18E of the First Schedule to the Central Excises and Salt Act, 1944.
5.	Cotton fabrics.
6.	Silk fabrics.
7.	Woolen fabrics.
8.	Man-made fabrics.
9.	Wool tops.

## Notification

LD/303/79

The following Central Act namely: — The Employment of Children (Amendment) Act, 1978, which was recently passed by the Parliament and enacted to by the President of India on 29th November, 1978 and published in the Gazette of India, Part II Section I dated 30th November, 1978 is hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Law).

Panaji, 27th January, 1979.

THE EMPLOYMENT OF CHILDREN  
(AMENDMENT) ACT, 1978

AN

ACT

further to amend the Employment of Children Act, 1938.

Be it enacted by Parliament in the Twenty-ninth Year of the Republic of India as follows: —

1. *Short title and commencement.* — (1) This Act may be called the Employment of Children (Amendment) Act, 1978.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 3.* — In section 3 of the Employment of Children Act, 1938 (hereinafter referred to as the principal Act), in sub-section (1), clause (b) shall be re-lettered as clause (e), and before clause (e) as so re-lettered, the following clauses shall be inserted, namely: —

“(b) connected with cinder picking, clearing of an ash pit or building operation, in the railway premises; or

(c) connected with the work in a catering establishment, at a railway station, involving the movement of a vendor or any other employee of the establishment from one platform to another or into or out of a moving train; or

(d) connected with the work relating to the construction of a railway station or with any other work where such work is done in close proximity to, or between, the railway lines; or”

3. *Amendment of section 3E.* — In section 3E of the principal Act, —

(i) for the words “and every port authority”, the words “, every port authority and every employer” shall be substituted;

(ii) after the words “within the limits of a port”, the words “or at the place of work” shall be inserted.

4. *Amendment of section 4.* — In section 4 of the principal Act, —

(i) in clause (c), the word “or” shall be inserted at the end;

(ii) after clause (c), as so amended, the following clause shall be inserted, namely: —

“(d) fails to display a notice containing an abstract of sub-sections (1) and (2) of section 3 and section 4 as required by section 3E.”

5. *Amendment of section 7.* — In section 7 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely: —

“(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.”

## Notification

LD/344/78

The following Notification received from the Government of India, Ministry of Health and Family Welfare, New Delhi is hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Law).

Panaji, 30th January, 1979.

No. P. 15014/5/77-PH(F&N) (PFA)

GOVERNMENT OF INDIA

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

New Delhi, dated the 23rd December, 78

## Notification

G. S. R. Whereas certain draft rules further to amend the Prevention of Food Adulteration Rules, 1955, were published, as required by sub-section (1) of section 23 of the Prevention of Food Adulteration Act, 1954 (37 of 1954) with the notification of the Government of India, in the late Ministry of Health and Family Planning (Department of Health), No. GSR 71(E), dated the 8th February, 1978 at page 125 of the Gazette of India, Part II — Section 3 Sub-section (1), dated 8th February, 1978, for inviting objections and suggestions from all persons likely to be affected thereby after the expiry of 45 days from the date on which the copies of the Gazette of India in which the said notification was published, were made available to the public;

And whereas the copies of the said Gazette were made available to the public on the 8th February, 1978.

And whereas the objections and suggestions received from the public on the said draft rules have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of section 23 of the said Act, the Central Government, after consultation with the Central Committee for Food Standards, hereby makes the following rules further to amend the Prevention of Food Adulteration Rules, 1955, namely:—

#### RULES

1. (1) These rules may be called the prevention of Food Adulteration (Fifth Amendment) Rules, 1978.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Prevention of Food Adulteration Rules, 1955, to rule 12, the following proviso shall be added, namely:—

“Provided that in case where a food inspector draws a sample from an open container, he shall also draw a sample from the container in original condition of the same article bearing the same declaration; if such container is available, and intimate this fact to the Public Analyst”.

Sd/-

(N. N. VOHRA)

Joint Secretary to the Government of India.

#### Notification

LD/212/6/79

The following Notification received from the Government of India, Ministry of Labour New Delhi is hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Law).  
Panaji, 20th February, 1979.

GOVERNMENT OF INDIA  
(BHARAT SARKAR)

MINISTRY OF LABOUR  
(SHRAM MANTRALAYA)

*Dated New Delhi, the 8th December, 1978*

#### Notification

S. O. — Whereas the Central Government having been satisfied that the public interest so required, had in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour No. 1826 dated the 14th June, 1978 the Banking Industry carried on by a banking company as defined in clause (bb) of section 2 of the said

Act to be a public utility service for the purposes of the said Act, for a period of six months from the 29th June, 1978;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act, for a further period of six months from the 29th December, 1978.

(L. K. Narayanan)

Desk Officer

No. S. 11017/12/78/DI(A)

#### Notification

LD/19352/79

The following Notification received from the Government of India, Ministry of Home Affairs New Delhi is hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Law).  
Panaji, 20th February, 1979.

No. 23/8/78-Public

GOVERNMENT OF INDIA  
(BHARAT SARKAR)

MINISTRY OF HOME AFFAIRS  
(GRIH MANTRALAYA)

*New Delhi-110001, the 5th February, 1979*  
*16 Magha 1900*

#### Notification

S. O. — In exercise of the powers conferred by clause (2) of article 77 of the Constitution, the President hereby makes the following rules further to amend the Authentication (Orders and other Instruments) Rules, 1958 namely:—

1. (1) These rules may be called the Authentication (Orders and other Instruments) Amendment Rules, 1979.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Schedule to the said rules, after the heading “DEPARTMENT OF PERSONNEL” and the entries thereunder, the following heading and entries shall be inserted, namely:

1	2
“DEPARTMENT OF CULTURE	
Archaeological Survey of India.	Director (Administration)”. (P. K. KATHPALIA)

Joint Secretary to the Government of India

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